IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.5627 of 2004

Dated: October 10, 2006

Between:

Warangal District Aided Schools Management Association, H.No.2-2-422, Bapuji High School, Kishanpura, Hanamkonda, Warangal District, Rep. by its Secretary M. Raghavulu, S/o.M. Venkataiah, Age: 52 years.

… Petitioner

And

The Government of Andhra Pradesh, rep. by its Secretary, Education Department, Secretariat, Hyderabad, and others.

… Respondents

Order:

This Writ Petition has been filed seeking Mandamus to declare the action of the second respondent in insisting for approval of un-aided posts in the schools of the petitioner-association for admitting them into grant-in-aid and not placing the matter before the High Level Committee as arbitrary and illegal.

2. Heard learned counsel for the petitioner and learned Government Pleader for School Education appearing for the respondents.

3. The case of the petitioner, an Association of schools, is that all the schools of the Association have appointed teaching staff in un-aided posts after obtaining permission from the competent authority. It is stated that proposals were forwarded to the District Educational Officer to admit the said posts into grant-in-aid. The grievance of the petitioner is that second respondent is insisting for approval of un-aided posts for admitting them into grant-in-aid.

4. Counter affidavit has been filed by the respondents stating that the Government has issued G.O.Ms.No.13, Education, dated 24-02-2003 and G.O.Ms.No.32, Education Department, dated 20-03-2003 giving certain guidelines for admission of posts into grant-in-aid. It is stated that one of the prerequisites for admission of posts into grant-in-aid is that such posts should have been approved by the competent authority.

5. Even according to the averments in the affidavit filed in support of the Writ petition, it is clear that the petitioner-association has sent proposals of its schools for admission of posts, which were not approved by the competent authority, into grant-in-aid. In that view of the matter, no direction as sought for can be given.

6. The Writ Petition is devoid of merits and is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY.

October 10, 2006
MRR